

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BUILDING TRADES UNITED
PENSION TRUST FUND, SCOTT J.
REDMAN, WISCONSIN PIPE TRADES
HEALTH FUND, and KEVIN LAMERE,

Plaintiffs,

v.

UNI-PUMP INC.,

Defendant.

Case No. 17-CV-385-JPS

ORDER

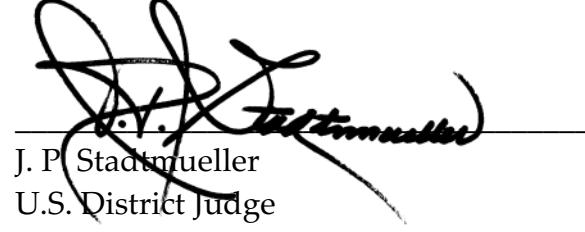
On March 15, 2017, Plaintiffs filed this action arising under the Employee Retirement Income Security Act. (Docket #1). Defendant was served with process on April 6, 2017, but has not yet responded to the complaint. *See* (Docket #6). On May 31, 2017, Plaintiffs filed a notice of voluntary dismissal of this action without prejudice. (Docket #8). Because Defendant has not yet appeared in this action or responded to the complaint, the Court will adopt Plaintiffs' notice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i).

Accordingly,

IT IS ORDERED that Plaintiffs' notice of voluntary dismissal (Docket #8) be and the same is hereby **ADOPTED**; this action be and the same is hereby **DISMISSED without prejudice**, each party to bear its own costs.

Dated at Milwaukee, Wisconsin, this 31st day of May, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge